

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 14-23 are pending in this case. Claims 1-13 are canceled and Claims 14-23 are added by the present amendment. New Claims 14-23 are supported by the originally-filed claims and, therefore, add no new matter. Claim 14 includes subject matter of originally-filed Claims 1, 2, 3, and 5; Claim 15 includes subject matter of originally-filed Claim 4; Claim 16 includes subject matter of originally-filed Claim 6; Claim 17 includes subject matter of originally-filed Claim 7; Claim 18 includes subject matter of originally-filed Claim 8; Claim 19 includes subject matter of originally-filed Claim 9; Claim 20 includes subject matter of originally-filed Claim 10; Claim 21 includes subject matter of originally-filed Claim 11; Claim 22 includes subject matter of originally-filed Claim 12; and Claim 23 includes subject matter of originally-filed Claim 13.

In the outstanding Office Action, Claim 5 was rejected under 35 U.S.C. § 112, second paragraph and Claims 1-13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Watanabe (U.S. Patent No. 7,027,084), further in view of Yamagishi (U.S. Patent No. 6,327,001).

The rejection of Claim 5 under 35 U.S.C. § 112, second paragraph, is believed to be moot in light of the cancellation of Claim 5. However, new Claim 14 substantially recites the subject matter of Claim 5 and is believed to be written in a manner that overcomes the rejection of Claim 5 under 35 U.S.C. § 112, second paragraph.

While the rejection of Claims 1-13 is believed to be moot in light of their cancellation, the patentability of New Claims 14-23 is discussed with respect to the references cited in the outstanding rejections.

Claim 14 is directed to an image processing apparatus “wherein in the communication between the image processing apparatus and said external communication device, the communication of the continuous data by the communication portion for continuous data is capable of communicating in parallel with at least one of the data communication by the camera control interface portion and the data communication by the media interface portion.”

The above-quoted portion of Claim 14 substantially recites the subject matter of originally-filed Claim 5.

The outstanding Office Action cited Watanabe as teaching “communication of the continuous data...in parallel with at least one of the data communication by the camera control interface portion and the data communication by the media interface portion” with respect to originally-filed Claim 5.

Watanabe depicts a portable phone 40A with two antennas in Fig. 5. As discussed at column 8, line 43 to column 9, line 38 of Watanabe, voice data is received via the antenna 41 and image data from a digital still camera is received by the antenna 61.

However, Watanabe does not teach or suggest an image processing apparatus with “communication of the continuous data...in parallel with at least one of the data communication by the camera control interface portion and the data communication by the media interface portion,” as recited in Claim 14. First, the two antennas cited in the outstanding Office Action with respect to originally-filed Claim 5 are in the portable phone of Watanabe rather than in an image processing apparatus comprising “a camera function portion,” as recited in Claim 14.

Further, Watanabe does not teach or suggest receiving audio or voice data “in parallel with at least one of the data communication by the camera control interface portion and the data communication by the media interface portion,” as recited in Claim 14. In fact, Watanabe describes receiving image data from a still camera at antenna 61 when “the image

transmission mode is set" in the portable phone. In other words, a user uses the menu shown in Fig. 6 to select image service in lieu of voice service. Watanabe does not teach or suggest the two services being offered in parallel. To reiterate the statement above, even if Watanabe did teach voice and image services in parallel, the portable phone of Watanabe does not teach or suggest the other features of the image processing apparatus recited in Claim 14.

Thus, Applicant respectfully submits that Claim 14 and Claims 15-23, which depend therefrom, are patentable over Watanabe.

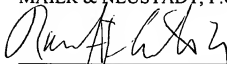
Yamagishi does not cure the deficiencies of Watanabe with respect to the subject matter recited in Claim 14 and in originally-filed Claim 5 and is not cited in the outstanding Office Action as teaching the features of originally-filed Claim 5.

Thus, Applicant respectfully submits that Claim 14 and Claims 15-23, which depend therefrom, are patentable over Yamagishi.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Raymond F. Cardillo, Jr.
Registration No. 40,440

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/07)

JK\RFC\UMP\la

I:\ATTY\UMP\24's\248088US\248088US-AMND1.DOC